UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,882	11/02/2001	Chit Chung	1316-US	4832

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EXAMINER
HAMZA, FARUK

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		10/002,882	CHUNG ET AL.
		Examiner	Art Unit
		Faruk Hamza	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2005.*

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23-39* is/are pending in the application.

    4a) Of the above claim(s) *1-22* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail. Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

1.   This communication is responsive to the amendment filed on May 19,

2005. Claims 1-22 have been canceled. Claims 23-39 have been newly added.

Claims 23-39 are now pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology

Technical Amendments Act of 2002 do not apply when the reference is a U.S.

patent resulting directly or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the reference is determined

under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C.

102(e)).

2.   Claims 23-39 are rejected under 35 U.S.C. 102(e) as being anticipated by

Giloi et al (U.S. Patent Number 6,850,985) hereinafter referred as Giloi.

Giloi teaches the invention as claimed including a method and system for setting up and managing secure data/audio/video conferences with a wide range of topologies (See abstract).

As to claim 23, Giloi teaches a method for establishing multi-media conferences involving a plurality of users, each of said users having a client process and at least one of a voice communication media device for audio conferencing and a programmed communication media device for text conferencing, said method comprising the steps of

a user communicating with a conference server to initiate and receive conference participation requests (Column 7, lines 55-Column 8, lines 17, Giloi discloses conference server to establish conferences),

a routing server establishing communication media connections to one of said user's communication media devices for participation in a conference (Column 6, lines 21-33, Column 13, lines 13-18, Giloi discloses routing server establishing connection to media devices), and

said client process associated with said user mixing the communications from a plurality of conference participants for either a multipoint audio media conferencing or multipoint text media conferencing involving said user (Column 2, lines 2-10; Column 13, lines 53-Column 14, lines 1-6, 52-64, Giloi discloses mixing communications from plurality of participants).

As to claim 24, Giloi teaches the method of claim 23 wherein said client process runs on a lap top or PC of said user (Column 5, lines 26-66).

As to claim 25, Giloi teaches the method of claim 23 wherein said client process is distinct from a user communication device (Column 5, lines 26-66).

As to claim 26, Giloi teaches the method of claim 23 further comprising maintaining presence and availability data for each user for each conference established (Column 6, lines 64-Column 7, lines 15).

As to claim 27, Giloi teaches the method of claim 23 further comprising said client process enabling a user to participate simultaneously in one or more conferences and to proactively notify one or more other users of any changes to any of said conferences (Fig. 4, Column 10, lines 31-46, Column 12, lines 20-30).

As to claim 28, Giloi teaches the method of claim 23 further comprising the step of securing communications being sent to said conference, said step of securing including a security process within said client process obtaining a conference session key from a conference server for each conference between users, and encrypting said conference key with a second key for communication

of said conference session key to a user of said conference (Column 8, lines 30-Column 10, lines 30).

As to claim 29, Giloi teaches the method of claim 28 wherein said step of securing communications includes time stamping and encryption of message data, and authentication of said encryption and time-stamp sending said time stamp, encryption and authentication of message data to a second user on said conference, and if said authentication and time stamp data are valid, said client process of said second user decrypting said message data using said conference key (Column 8, lines 30-Column 10, lines 30).

As to claim 30, Giloi teaches the method of claim 23 wherein said user has both a voice communication media device and a programmed communication text media device (Column 1, lines 32-45).

As to claim 31, Giloi teaches the method of claim 30 wherein said user is participating in a conference call involving one of said media devices, said method further comprising said client process establishing a second conference call involving the other of said media devices (Fig. 4, Column 10, lines 31-46; Column 13, lines 53-Column 14, lines 6).

As to claim 32, Giloi teaches the method of claim 31 wherein said step of

establishing said second conference call comprises

said client process requesting a communication controller to create said

second conference (Column 1, lines 63-Column 2, lines 1-10; Column 14, lines

52-64) and

said conference controller using presence and availability information for

the prior established conference to invite all the participants in the prior

established conference to join said second conference (Column 1, lines 63-

Column 2, lines 1-10; Column 14, lines 52-64).

As to claim 33, Giloi teaches the method of claim 23 further comprising the

step of a user employing a user interface in said client process to signal a

communication controller to create a persistent conference (Column 14, lines 52-

Column 15, lines 20).

As to claim 34, Giloi teaches the method of claim 33 wherein a conference

server retains identification of the persistent conference after users to said

persistent conference leave said persistent conference (Column 7, lines 1-16).

As to claim 35, Giloi teaches a system for establishing multi-media

conferences involving a plurality of users, each of said users having at least one

of a voice communication media device for audio conferencing and a

programmed communication media device for text conferencing, said system

comprising

a conference server responsive to a user for initiating and receiving

conference participation requests (Column 7, lines 55-Column 8, lines 17, Giloi

discloses conference server to establish conferences),

a plurality of router servers for establishing communication media

connections to one of said user's communication media devices for participation

in a conference (Column 6, lines 21-33, Column 13, lines 13-18, Giloi discloses

routing servers establishing connection to media devices), and

a client process associated with said user for mixing the communications

from a plurality of conference participants for either a multipoint audio

conferencing or a multipoint text processing involving said user (Column 2, lines

2-10; Column 13, lines 53-Column 14, lines 1-6, 52-64, Giloi discloses mixing

communications from plurality of participants).

As to claim 36, Giloi teaches the system of claim 35 further comprising a

PSTN gateway and wherein one of said router servers is a PSTN gateway proxy

server that mixes audio streams into a single stream and forwards said single

stream to said PSTN gateway (Column 13, lines 39- Column 14, lines 6).

As to claim 37, Giloi teaches the system of claim 35 wherein another of said router servers is a control unit server which receives audio streams from said PSTN gateway proxy server (Column 13, lines 39- Column 14, lines 6).

As to claim 38, Giloi teaches the system of claim 33 wherein one of said routers servers is a smart application server for establishing an application sharing conference (Column 1, lines 31-45; Column 13, lines 53-Column 14, lines 1-6).

As to claim 39, Giloi teaches a system for establishing multi-media conferences involving a plurality of users, each of said users having at least one of a voice communication media device for audio conferencing and a programmed communication media device for text conferencing, said system comprising

a control server tier including a communication controller, an encryption authentication processor (Fig. 11; Column 8, lines 44-61, Giloi discloses control server with communication controller and encryption authentication processor), and

a presence and availability manager, a communication server tier including multipoint control user servers (Fig. 10, Fig. 11, Column 2, lines 2-10, Giloi discloses multipoint control user server),

a data network connecting said control server tier and said communication

server tier (Fig. 10, Fig. 11, Giloi discloses data network connecting control

server and communication server),

a data base connected to said data network, said database containing

presence and availability data with respect to conference users (Column 7, lines

1-16, Giloi discloses database containing data of conference users), and

a client process associated with each of said users for mixing the

communications from a plurality of said conference users for either an audio

conference or a text conference for said each conference user (Column 2, lines

2-10; Column 13, lines 53-Column 14, lines 1-6, 52-64, Giloi discloses mixing

communications from plurality of participants).

Response to Arguments

3.   Applicant's arguments have been considered but are moot in view of the

new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Faruk Hamza whose telephone number is

571-272-7969. The examiner can normally be reached on Monday through

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155

SALEH NAJJAR
PRIMARY EXAMINER